Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 11-13 and 15-27 are pending in the application, with claims 11, 17, 18, 20, and 21 being the independent claims. Claims 11, 12, 18, 20, and 21 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 11, 12, and 21 under 35 U.S.C. § 112, second paragraph. In view of the foregoing, Applicants request that the rejections under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 103

Claims 11, 17, and 21

Claims 11, 17, and 21 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Japanese Patent Publication No. 2000-76336 to Fukuo Taro ("Taro") in view of U.S. Patent No. 6,609,198 B1 issued to Wood *et al.* ("Wood"). Applicants respectfully traverse this rejection.

Independent claim 11 recites, *inter alia*, "determining an authentication level required for the transaction based on a parameter of the transaction," and "completing the

transaction **without authentication** of the user when a second one of the authentication level is determined." (emphasis added). Applicants submit that neither Taro nor Wood teach or suggest at least the aforementioned feature of independent claim 11. The Examiner concedes that the primary citation to Taro does not teach or suggest this feature of independent claim 11. (Office Action, page 4). However, the Examiner contends that Wood provides this missing teaching. Applicants respectfully disagree.

Wood is directed to a security architecture that provides a single sign-on to gain access to multiple information resources. (Wood, col. 2, lines 26-28). In particular, Wood discloses that "once credentials have been obtained for an entity and have been authenticated to a given trust level, access is granted, without the need for further credentials and authentication, to information resources for which the trust level is sufficient." (Wood, col. 2, lines 39-43). From the above, it becomes clear that Wood does not teach or suggest "completing [a] transaction **without authentication** of the user when a second one of the authentication levels is determined," as recited by claim 11. (emphasis added). Rather, Wood teaches granting access to an information resource without the need for **further credentials and authentication**. Wood, in complete contrast to the features of independent claim 11, requires authentication before granting access to an information resource. Whether the authentication is performed prior to or during an attempt to access an information resource in Wood is irrelevant.

The Examiner specifically cites to column 3, lines 41-53 of Wood, which is directed to a method that "includes authenticating an entity to a first authentication level..., authenticating the entity to a second authentication level...; and thereafter allowing access...to the information resources at the second authentication level." The

portion of Wood cited by the Examiner in no way teaches or suggests "completing [a] transaction **without authentication** of the user when a second one of the authentication levels is determined," as recited by claim 11. Rather, in contrast, it appears that Wood **requires** authentication at each authentication level.

Therefore, since Wood cannot be used to cure the deficiencies of Taro, the applied references cannot be used to establish a *prima facie* case of obviousness.

For at least the reasons set forth above, Applicants submit that independent claim 11 is patentable over Taro and Wood. Accordingly Applicants respectfully request the rejection of claim 11 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Independent claims 17 and 21 recite, *inter alia*, determining "an authentication level required for the transaction based on a parameter of the transaction," and completing the transaction "without authentication of the user when a second one of the authentication level is determined." As noted above in regard to a similar distinguishing feature recited, using respective language, in claim 11, neither Taro nor Wood teach or suggest as least this feature. Therefore, the applied references cannot be used to establish a *prima facie* case of obviousness. For at least this reason, Applicants submit that independent claims 17 and 21 are patentable over Taro and Wood. Accordingly, Applicants respectfully request the rejection of claims 17 and 21 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 12, 22, 23, and 24

Claims 12, 22, 23, and 24 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Taro in view of Wood, and further in view of Japanese

Patent Publication No. 2000-92236 to Fukai Shuichi *et al.* ("Shuichi"). Applicants respectfully traverse this rejection.

As noted above, Taro and Wood fail to teach or suggest each and every feature of independent claims 11 and 17. Shuichi does not cure the deficiencies of Taro and Wood with respect to independent claims 11 and 17. On pages 7-8 of the Office Action the Examiner states, which Applicants do not acquiesce to, Shuichi teaches the features of these claims. However, Shuichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Shuichi cannot be used to cure the deficiencies of Taro and Wood, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, and Shuichi. Dependent claims 12, 22, 23, and 24 are similarly patentable over Taro, Wood, and Shuichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 12, 22, 23, and 24 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 13 and 25

Claims 13 and 25 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Taro in view of Wood, further in view of Shuichi, and still further in view of Japanese Patent Publication No. 06-215009 to Watanabe Schunichi ("Schunichi"). Applicants respectfully traverse this rejection.

As noted above, Taro, Wood, and Shuichi fail to teach or suggest each and every feature of independent claims 11 and 17. Schunichi does not cure the deficiencies of Taro, Wood, and Shuichi with respect to independent claims 11 and 17. On pages 9-10 of the Office Action the Examiner states, which Applicants do not acquiesce to, Schunichi teaches the features of these claims. However, Schunichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Schunichi cannot be used to cure the deficiencies of Taro, Wood, and Shuichi, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, Shuichi, and Schunichi. Dependent claims 13 and 25 are similarly patentable over Taro, Wood, Shuichi, and Schunichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 13 and 25 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 15, 16, 26, and 27

Claims 15, 16, 26, and 27 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Taro in view of Wood, and further in view of Schunichi. Applicants respectfully traverse this rejection.

As noted above, Taro and Wood fail to teach or suggest each and every feature of independent claims 11 and 17. Schunichi does not cure the deficiencies of Taro and Wood with respect to independent claims 11 and 17. On pages 10-11 of the Office Action the Examiner states, which Applicants do not acquiesce to, Schunichi teaches the

features of these claims. However, Schunichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Schunichi cannot be used to cure the deficiencies of Taro and Wood, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, and Schunichi. Dependent claims 15, 16, 26, and 27 are similarly patentable over Taro, Wood, and Schunichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 5, 16, 26, and 27 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 18, 19, and 20

Claims 18, 19, and 20 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Shuichi in view of Taro, and further in view of Wood. Applicants respectfully traverse this rejection.

Independent claims 18 and 20 recite, *inter alia*, "wherein the transaction is completed **without authentication** of the user when a second one of the authentication level is determined." (emphasis added).

Applicants submit that neither Shuichi, Taro, nor Wood teach or suggest at least the aforementioned feature of independent claims 18 and 20. With respect to similar distinguishing features recited using respective language in claims 11, 17, and 21, as discussed above, the applied references do not teach or suggest at least the above-noted distinguishing features of claims 18 and 20. Thus, for at least the reasons set forth

above, Applicants submit that independent claims 18 and 20 are patentable over Shuichi, Taro, and Wood. Dependent claim 19 is similarly patentable over Shuichi, Taro, and Wood for at least the same reasons as independent claim 18, from which it depends, and further in view of its own respective feature. Accordingly Applicants respectfully request the rejection of claims 18, 19, and 20 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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